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Via e-mail only

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Intellectual Property (IP)

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Michael Zöbisch

November 8, 2004

Your ref.: 930-99-002 (2) Our ref.: WO 35679
PCT-Application No.: PCT/IB02/03589
Applicant: Honeywell International Inc.

Dear Chris,

Enclosed please find herewith the International Preliminary Examination Report issued to the above-identified PCT-application as well as the respective notification of the EPO.

As can be understood from the present report, it would be advisable to enter each of the respective regional/national phases of the present PCT-application on the basis of an amended claim version including at least a minimum of amending features, in order to delimit the claimed subject-matter against the relevant prior art.

With regard to the above, I would like to refer to our respective comments and proposal for new claims 1 to 7 sent to you via e-mail on June 8, 2004 and a subsequent correspondence with Ephraim, in particular his e-mail of

Dresdner Bank, München
Deutsche Bank, München
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Mizuho Corp. Bank, Düsseldorf
HSBC Bank Limited, Düsseldorf

Kto. 3939 844
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Kto. 6704 3804
Kto. 810 423 3007
Kto. 500 047

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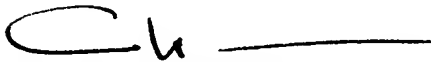
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July 12, 2004 as well as our respective proposal of July 14, 2004, a copy of which is enclosed herewith.

If you would like to consider alternative amending possibilities, please do not hesitate to ask for our further comments.

I am looking forward to receiving your instructions with regard to the above and remain,

With best personal regards,



Dr. G. Chivarov
Patentanwalt
TBK-Patent

Enclosures:

- International Preliminary Examination Report and respective Notification by the EPO;
- Copy of our respective proposal of July 14, 2004

JC20 Rec'd PCT/PTO 24 JUN 2005

Dr. Georgi Chivarov

Von: Dr. Georgi Chivarov [chivarovg@tbk-patent.de]
Gesendet: Mittwoch, 14. Juli 2004 18:54
An: Starr, Ephraim; Figura, Giorgio; Jeckel, Denis; Dechanet, Eric; Sausse, Lorrain
Cc: Muhammad Adnan; (TBK); Bakker, Reinier (SZ21); Boucher, Eric (SZ21); Koenraad Van Himbeek
Betreff: AW: PCT-Application No.: PCT/IB02/03589; OurRef.: WO 35679; YourRef.: 930-99-002(2); and YourRef 930-99-002 = OurRef: WO 35744/EP35745

Dear All,

This is just to focus your attention to the following:

(1) with regard to the basic application (docket no. 930-99-002). OurRef: WO 35744/EP35745: so far the main difference seems to be that in our step III version the cartridge is coupled to the center housing by means of the insert and not by means of the nozzle ring, i.e. by means of the element ("vane holder 36") carrying the vanes as is the case in the HONDA-application (EP-A2-0270384);

(2) with regard to the modified version application (docket no. 930-99-002(2)) OurRef: WO35679: The version of an amended claim 1 as proposed by Ephraim would be:

1. A turbocharger comprising a center housing (1), a variable nozzle device (11, 23, 25, 27, 29, 31), and an exhaust housing (47) being mechanically and/or thermally decoupled from the variable nozzle device, wherein the variable nozzle device (11, 23, 25, 27, 29, 31) comprises a circumferential arrangement of vanes (27) interposed between a nozzle ring (23) and an outer ring (15) integrally formed with a peripheral ring (13) fitted on said nozzle ring and coupled to said center housing (1).

Such a new main claim can be accompanied for example by the subclaim:

2. A turbocharger according to claim 1, characterized in that the peripheral ring (13) is radially and axially spaced from the exhaust housing, so that any contact between the exhaust housing and the peripheral ring (13) is avoided.

Georgi

-----Ursprüngliche Nachricht-----

Von: Starr, Ephraim [mailto:ephraim.starr@honeywell.com]

Gesendet: Montag, 12. Juli 2004 20:03

An: Figura, Giorgio; Jeckel, Denis; Dechanet, Eric; Sausse, Lorrain

Cc: Muhammad Adnan; Dr. Georgi Chivarov (TBK); (TBK); Bakker, Reinier (SZ21); Boucher, Eric (SZ21); Koenraad Van Himbeek

Betreff: RE: PCT-Application No.: PCT/IB02/03589; Our ref.: WO 35679;

Your ref.: 930-99-002(2); Applicant: Honeywell Int'l Inc.

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Attorney-Client Communication

Dear Georgi, Denis, Eric and Lorrain,